## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to the Petition for Special Hearing, approval of an amendment to the site plan previously approved in Case No. 70-73-A; and, pursuant to a Petition for Zoning Variance, a variance from Section 409.6 to permit 18 parking spaces in lieu of the required 60 parking spaces, as more particularly described on Petitioner's Exhibit

The Petitioner, by Stuart D. Kaplow, Esquire, appeared and testified. Also appearing on behalf of the Petition were Evelyn Burns on behalf of the Pikesville Community Group, Inc., Sharon Rossman and Lee Sachs. There were no Protestants.

Testimony indicated that the subject property known as 1504 Reisterstown Road consists of .44 acres +/\_ zoned B.L.-C.T. and is currently improved with a Dunkin Donuts, Bressler Cleaners and Mike's Pizza Restau-

Proffered testimony indicated that the subject property has been used for many years to support various retail establishments.

Testimony indicated that the current mix of retailers provides for staggered peak time traffic on the site.

Evelyn Burns appeared in her capacity as the Executive Director of the Pikesville Community Growth, Inc. and voiced the Association's support of the Petitioner's request

PETITION FOR ZONING VARIANCE

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 409.6 to permit 18 parking spaces in lieu of the

required 60 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

conformance unnecessarily burdensome; that the grant would do substantial injustice to petitioner as well as other property owners

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

City and State

219 W. Pennsylvania Ave Suite 630 Name, address and phone number of legal owner, con-

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day

I/We do solemnly declare and affirm,

under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

One Exchange Street (207)773-33

tract purchaser or representative to be contacted

Towson, MD 21204 (301)821-3103

Zoning Commissioner of Bakimore County.

Portland, Maine 041

Stuart D. Kaplow
NameSuite 630

210 W. Pennsylvania Ave.

in district and a lesser relaxation than that applied for would not give substantial relief; and, that relief can be granted in such fashion that the spirit of the ordinance will be observed

Property is to be posted and advertised as prescribed by Zoning Regulations.

and public safety and welfare secured.

Contract Purchaser:

City and State

Attorney for Petitioner:

Address Towson, MD

City and State

Stuart D. Kaplow

(Type or Print Name)

Frank, Bernstein, Conaway&Goldman

(301)821-3103

(Type or Print Name)

That strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose and render

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91- 424- 5PHA

出403

Testimony clearly indicated that although parking on the subject site is at a premium, it is sufficient to accommodate the existing retail uses.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

> 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

> 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the requested special hearing relief and variance were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety and general welfare.

## PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-424-5PHA The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the existing site plan previously approved in Case No. 70-73-A.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm. under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	
	Joseph L. Soley	1 NW SE
(Type or Print Name)	(Type or Rrint Name)	FL
Signature	Signature	C10 +2
Address	(Type or Print Name)	15
City and State	Signature P.O. Box 367	- Carrier
Attorney for Petitioner:	One Exchange Stree	t (207) 773=3333
Stuart D. Kaplow		
(Type or Print Name)	Address	Phone No.
	Portland, Maine	04102
Signature Frank, Bernstein, Conaway&Goldman	City and State	(0412)
Suite 630 210 dd W. Pennsylvania Ave.	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
Towson, MD 21204	Stuart D. Kaplow	
City and State	Name Suite 630	<b></b>
Attorney's Telephone No.: (301) 821-3103	210 W. Pennsylvani -Towson-,-MD21204- Address	AV (301) 821-3103 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day required by the Zoring Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

mjk -4/14/41 awail anytime est. time - 1 hri

Z.C.O.-No. 1

O.

ORD Date

After reviewing all of the testimony and evidence presented, it appears that the special hearing and zoning variance relief should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15 day of 1261, 1991, that the Petition for Special Hearing for approval of an amendment to the site plan previously approved in Case No. 70-73-A is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to a Petition for Zoning Variance, a variance from Section 409.6 to permit 18 parking spaces in lieu of the required 60 parking spaces, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the aforegoing relief:

> 1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. There shall be no additional food vendors of any type added to the subject site without prior zoning approval.

> Zoning Commissioner for Baltimore County

91-424-5PHA

cc: Peoples Counsel

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

July 18, 1991

Stuart H. Kaplow, Esquire Frank, Bernstein, Conaway and Goldman Suite 630 Towson, Maryland 21204

RE: Petitions for Special Hearing and Zoning Variance Case No. 91-424-SPHA Joseph L. Soley Petitioner

Dear Mr. Kaplow:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

JRH:mmn

cc: Peoples Counsel Evelyn Burns Sharon L. Rossman Lee Sachs, Esquire

> CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Posted for:	Date of Posting
Petitioner: Jane Jane Jane Jane Jane Jane Jane Jane	
Location of property: 15/1/ Cide of the	W. T. C. C. True & the Acres 18 18 18 18 18 18 18 18 18 18 18 18 18
Charles the mine is and	Land Butter town bear
Location of Signe:	a day of the Foot water one
Remarks:	
Posted by	Date of return:

## CERTIFICATE OF PUBLICATION

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, to the County Office Building as follows: Special Hearing: Amendment to the existing site plan previously approved in Case #70-73-A. Variance: to permit 18 parking spaces in lieu of the required 60 necking appaces. J. POBERT HAINE

TOWSON, MD., \_\_\_\_\_\_, 19 1/4 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on \_\_\_\_\_\_, 19 \_\_\_\_.

THE JEFFERSONIAN.

5.335 \$ 35.18

centerline of Clovelly Road (now closed) thence South 41 degrees 37 minutes 30 seconds East 118.40 feet thence southwesterly by a curve to the right with a radius of 25 feet for a distance of 53.42 feet thence southwesterly by a curve to the right with a radius of 180 feet for a distance of 31.99 feet thence North 89 degrees 00 minutes 30 seconds West 60.54 feet thence southwesterly by a curve to the left with a radius of 220 feet for a distance of 48.79 feet thence North 41 degrees 37 minutes 30 seconds West 50.23 feet thence North 48 degrees 22 minutes 30 seconds East 147.55 feet to the place of beginning. The improvements thereon being known and designated as No. 1504 Reisterstown Road. The above description was developed from plats and public access drawings, is not the result of a boundary survey, and is for zoning

ZONING DESCRIPTION (Property of Joseph L. Soley)

BEGINNING at a point on the Southwest side of Reisterstown Road (66' wide) at the distance of 166 feet northwest of the

# 403

900-288-1133 min. Must be 18 yrs.

FOR RENT AUTIFUL 1 BR apts, avail, for in Elmont. \$600/monthly, indes condo fee. 1st floor or 6th er. Call Jimmy Yerman, 486-9311

Available from government from \$1. You repair. No credit check. Also drug seizures and IRS fore-KESVILLE—House, split level. closures sold for back taxes. t remodeled. Avail. immed. Eat-in Call 1-805-682-7555, ext. H-2072 , DR, cathedral ceiling LR, 3 BR, Ba., lrg. family room. New w/w for repo list your area. (call 7 days a week) urpet, central air, gas heat, fenced n yard. 1 blk. to Metro Station. 895/month. References & lease &

LEGAL NOTICE BALTIMORE COUNTY GOVERNMENT ZONING COMMISSIONER OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204

ec. dep. required. Call Mr. Phillips 4-6 p.m., 661-7803.

NOTICE OF HEARING in Room 108 of the County United Building.
Located at 111 W. Chesapeake Avenue in
Towson, Maryland 21204 as follows
Case Number 91-424-SPHA
SW/S Reisterstown Road, 166' NW of c/l

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building. pelly Road

A Reisterstown Road

Election District—2nd Councilmanic

Dioner(s): Joseph L. Soley

Ing. Wednesday, June 26, 1991 at 2 30

I Hearing Amendment to the existing previously approved in Case #70-73-A. To permit 18 parking spaces in lieu of

d 60 parking spaces
J. Robert Haines
Zoning Commissioner of
Baltimore County

111 West Chesapeake Avenue

Towson, MD 21204

Case Number: 91-424-SPHA

1504 Reisterstown Road

SW/S Reisterstown Road, 166' NW of c/l Clovelly Road

3rd Election District - 2nd Councilmanic

HEARING: WEDNESDAY, JUNE 26, 1991 at 2:30 p.m.

Petitioner(s): Joseph L. Soley

Zoning Commissioner of Baltimore County

cc: Joseph L. Soley

Stuart D. Kaplow, Esq.

May 17, 1991

AUTOMOTIVE WE BUY most june cars and crucks.

PIANO—All ages, armievels Classical, Pop, Jazz, Beginners welcome, Pikesville, 653-9072. REAL ESTATE SPANISH, FRENCH, GERMAN, ITALIAN, Etc. by native teachers. 9 a.m.-9 p.m. Academy of Languages, REPOSSESSED VA 2027 Maryland Ave. 685-8383. & HUD HOMES

The JCC is sponsoring a trip to see 'Phantom of the Opera' at the Kennedy Center on Wed., Sept. 25. Tickets \$60 p.p. and include orchestra seating and R/T trans. (542-4900).

On Sat., June 15 A.A.R.P. Chapter #3706 will go to the LEGAT NOTICE Capitol Center to see Spirit of BALTIMORE COUNTY BOARD OF LIQUOR LICENSE COMMISSIONERS TOWSON, MARYLAND 21204 America', an exciting historical pageant performed by the military. Charge for the bus will be \$9.25 p.p., which must be NOTICE IS HEREBY GIVEN THAT THE FOL-LOWING PERSONS HAVE FILED APPLICA-TIONS FOR PERMANENT LICENSE TO SELL BEER, WINE AND/CR LIQUOR AT THE paid by May 21. (922-9418). The Pikesville Senior Center is sponsoring a trip to

BEER, WINE AND/ON CIGATIONS STATED Nicholas Mangione, Jr., Peter L. Mangione, Ida Manly Machinist of S-H Food Service, Inc. 1/4 Hitton Inn. 1726 Reisterstown Road, Battimore, MD 21208. Application for Change of Corporate Officers of Class B (on Sale) Beer, Wine and Liquor (Exception) License from Carmne Bonnacci, Louise E. DelComa, Ida Machinist, 1100 p.m.) (Hotel Exception) the Pines Resort Hotel in the Catskill Mountains August 14-18. Price is \$369 p.p., dbl occup. and includes everything. For further info., call Bill Hirshfield at (US)
HEARING UPON THE APPLICATIONS 484-5285 or 887-1245. ABOVE WILL TAKE PLACE IN ROOM 106 OF THE COUNTY OFFICE BUILDING, TOWSON,

MARYLAND ON
MONDAY June 10, 1991
PUBLISHER Northwest Star 710585
BOARD OF LIQUOR LICENSE
COMMISSIONERS
FOR BALTIMORE COUNTY William H Synder, Chairman Philip R Leyne, Jr., Member Frank J Wesolowski, Member available, (486-6418).

**Baltimore County Government** 

Zoning Commissioner

Office of Planning and Zoning

NOTICE OF HEARING

The Zoning Communissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the

Special Hearing: Amendment to the existing site plan previosly approved in Case #70-73-A.

Variance to permit 18 parking spaces in lieu of the required 60 parking spaces.

J. Robert Sprines

County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Pikesville, Md., May 19 THIS IS TO CERTIFY, that the annexed advertisement was published in the NONTHWEST STAR, a weekly · newspaper published in Pikesville, Baltimore County, Naryland before the

The state of the second section of the section of the second section of the section of the

CERTIFICATE OF, PUBLICATION

11. 424

the first publication appearing on the

the second publication appearing on the

the third publication appearing on the

Cost of Advertisement

Milbrook Trip Club is sponsoring a trip to Agawa Canyon & Mackinac Island from Aug. 19-25. Cost of \$640 p.p. includes train & boat ride. Fliers

887-3353

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

111 West Chesapcake Avenue Towson, MD 21204

June 3, 1991

887-3353

Stuart D. Kaplow, Esquire Frank, Bernstein, Conaway & Coleman Suite 630, 210 W. Pennsylvania Avenue Towson, MD 21204

> RE: Item No. 403, Case No. 91-424-SPHA Petitioner: Joseph L. Soley Petition for Special Hearing and Zoning Variance

Dear Mr. Kaplow:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED: jw

Enclosures

cc: Mr. Joseph L. Soley P.O. Box 367 One Exchange Street Portland, ME 04112

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

> 111 West Chesapeake Avenue Towson, MD 21204

Baltimore County

Zoning Commisioner

County Office Building
111 West Chesapeake Avenue

FUBLIC HEARING FEES

020 -ZONING VARIANCE (OTHER).

040 -SPECIAL HEARING (OTHER)

Baltimore County Zening Commissioner

County Office Building

Towson, Mary land 21204

11 West Chesapeake Avenue

LAST NAME OF OWNER: SOLEY

ana (97**91**)

The state of the s

PRICE

\$175.00

Please Make Checks Payable To: Baltimore County

Account: P 801 6150

1 X \$175.00

TOTAL: \$350.00

1 X

Account: R-001-6150

Your petition has been received and accepted for filing this 1st day of May, 1991.

ZONING COMMISSIONER

Zoning Plans Advisory Committee

Petitioner: Joseph L. Soley Petitioner's Attorney: Stuart D. Kaplow Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887 3353

DATE: 6/11/71

P. O. Box 367 Portland, Maine 04112

Joseph L. Soley

Case Number: 91-424-SPHA SW/S Reisterstown Road, 166' NW of c/l Clovelly Road 1504 Reisterstown Road 3rd Election District - 2nd Councilmanic Petitioner(s): Joseph L. Soley HEARING: WEDNESDAY, JUNE 26, 1991 at 2:30 p.m.

Dear Petitioner(s):

Please be advised that  $\frac{107.18}{100}$  is due for advertising and posting of the above

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

. Robert Jaines . ROBERT HAINES ZONING COMMISSIONER

cc: Stuart D. Kaplow, Esq.

BALTIMORE COUNTY, MARYLAND

June 26th 41-424 SP4A

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS FALTIMORE COUNTY, MARYLAND

DATE: June 3, 1991

Mr. J. Robert Haines Zoning Commissioner

FROM: Rahee J. Famili SUBJECT: Z.A.C. Comments Item #403

Z.A.C. MEETING DATE: April 30, 1991

There is no on-street parking permitted in this area and the proposed parking spaces will not meet the existing demand. Therefore, it is recommended that the requested variance be denied.

RJF/lvd

received 6/4/91

Too Fast Joppa Road, Suite 901 Towson, MD 2120 (5500)

(301) 88 1 (500)

MAY 1, 1991

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Raltimore County Office Building Towson, MD 21204

JOSEPH L. SOLEY RE: Property Owner:

#1504 REISTERSTOWN ROAD

Item No.: 403 Zoning Agenda: APRIL 30, 1991

Gentlemen:

Location:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: At Jent Actor 5.1.91 Approved Contained Francisco Fire Prevent And Approved Fire Prevent And Approved Fire Prevent And Approved Fire Prevent App Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

This site is located in the Pikesville Revitalization area and

meeting with the Economic Development Commission and, considering the

information provided, the Office of Planning and Zoning supports the

To ensure that the applicant's involvement in the Pikesville streetscape program, a landscape plan shall be submitted for approval

If there should be any further questions or if this office can

lies with the area of the Pikesville streetscape program. After

granting of the petitioner's request provided the property owner

to Ervin McDaniel, Senior Planner, prior to the issuance of any

provide additional information, please contact Jeffrey Long in the

participate in the streetscape program for Pikesville.

DATE: June 12, 1991

received

JK/KEK

41-447 -1111

permits.

PK/JL/cmm

ITEM403/ZAC1

J. Robert Haines

Zoning Commissioner

SUBJECT: Joseph L. Soley, Item No. 403

Office of Planning at 887-3211.

Pat Keller, Deputy Director

Office of Planning and Zoning

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 26, 1991

FROM: Dennis A. Kennedy, P.E. Zoning Advisory Committee Meeting

for April 30, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for

Items 385, 392, 393, 396, 399, 400, 401, 402, 403 and 404. For Items 347 (Case #91-374-A), 394 and 395, the previous County Review Group Meeting comments are still

For Item 397, a revised County Review Group Meeting is

For Item 398, a County Review Group Meeting is required.

Dennis A. Kennedy P.E., Acting Chief, Developers Engineering Division

DAK:s

applicable.

June 26th 91-4245PH

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner DATE: June 20, 1991

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Joseph L. Soley, Item No. 403

Should the petitioner's request be granted, the applicant shall agree to the following conditions:

- Mr. Joseph L. Soley's share in the Pikesville Streetscape Program is \$11,547. This sum should be invested as additional improvements to his building, i.e., window treatment, signage, and redesign of the existing lot.
- In order for Baltimore County to make streetscape improvements, Mr. Soley will need to sign the streetscape agreement. The County will be responsible for specific improvements involving the sidewalks, curbs, and landscape element. An attached map clearly indicates these improvements (parking shown on the plan is for illustrative purposes only).

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM403.REV/ZAC1

ZENING ENFORCEMENT Baltimore County Zoning Office Towson, Maryland 21204

INTER-OFFICE COPRESPONDENCE

PATE: May 2, 1991

FROM: James H. Thompson

Zoning Enforcement Coordinator RE: Item No. 403

Petitioner: Joseph L. Soley

Coming Supervisor

70: James F. Dyer

VIOLATION CASE # 88-381-CV LOCATION OF VIOLATION 1504 Reisterstown Road

DFFENDANT Joseph L. Soley

ADDRESS P.O. Box 367, D T S, Portland, ME 04112

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

Lee N. Sachs, Esquire

341 North Calvert Street Baltimore, Maryland 21202

Gabriel W. Rosenbush, Jr.

P.O. Box 32122 Ballimore, Maryland 21208

Pikesville Community Growth Corp. 3655A Old Court Road, Suite 15

Baltimore, Maryland 21208

To one file

Fax 887-8017

June 25, 1991

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

400 Washington Avenue

Mr. J. Robert Haines, Zoning Commissioner

Baltimore County Office of Planning and Zoning

Towson, MD 21204

Courts Building

Towson, Maryland 21204

co: Lee N. Sachs. Esquire Gabriel W. Rosenbush, Jr. Pikesville Community Growth Corporation

· Notices mailed 5/28/91.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 24, 1991

Moning Commissioner Stephen E. Weber, P.E.

SUBJECT: Z.A.C. Comments ITEM No. 403

91-424-5PHA

MAC Meeting Date: April 30, 1991

Mr. J. Robert Haines

REVISED COMMENTS

There is no on-street parking permitted in this area and our observations indicate that the number of parking spaces will not always meet the existing demand. However a conversation we had with the management of Chaples, the adjacent business, indicated that any such overflow which does occur has not caused any problems with them and that to date they have not really had any parking problems due to the subject site.

It should be noted that the parking layout as shown on the plan does not reflect what exists on the site. As marked, there are currently 19 on-site spaces.

SEW/lab

Mr. J. Robert Haines, Zoning Commissioner Page Two June 25, 1991

Property improvements and the continued existence of the long-term Pikesville businesses which are tenants of the subject property have a significant role in the revitalization of the district. Please accept this letter as firm support for granting the petitioner's request for a parking

Sincerely,

Acting Director

AJH:bb

Re: Variance Request: Item Number 403 Dear Mr. Haines: The Baltimore County Economic Development Commission wishes to express its support of the above referenced petition for a parking variance concerning the property of Joseph L. Soley. The request is of concern to us because of the property's location within the Pikesville Revitalization District.

> The long-term tenants of the subject property include a pizza shop, dry cleaner and Dunkin Donuts. These uses are complementary in that their busiest traffic occurs at different times of the day, reducing the demand for parking at any one time. In addition, their business primarily consists of quick stops by customers, creating a constant turnover of parking spaces. These businesses have coexisted for some time without conflict over parking. After hearing of potential concerns of the Bureau of Traffic Engineering, Economic Development Commission staff spoke with the management of the adjacent property and found they had no complaints with the past or current parking situation. This office supply business has experienced little or no overflow parking on their lot during business hours and has no customer complaints. We then communicated these findings to Traffic Engineering.

Baltimore County Government **Economic Development Commission** 

55 to 125 (126)

ZONING OFFICE

The Economic Development Commission is fully committed to assisting in building and maintaining the health of Pikesville's commercial district. We are currently nearing completion of plans for extensive beautification of the core of Pikesville. Mr. Soley's participation in this project and its planned reconstruction of the street frontage of this property will also improve traffic circulation and create additional parking spaces. We have been working closely with the Pikesville Community Growth Corporation on the comprehensive revitalization of the area; they are aware of our sament of this situation and concur with our support of this variance.

STREETSCAPE AGREEMENT
(Private Property Improvements)

RW 91-001 Item 13 (M)

THIS AGREEMENT, Made this Aday of NNE, in the year 1991, by and between JOSEPH L. SOLEY, party/parties of the first part; and BALTIMORE COUNTY, MARYLAND, a body corporate and politic, hereinafter referred to as "County", party of the second part.

WHEREAS, Baltimore County, Maryland desires to undertake sidewalk and landscape improvements, hereinafter referred to as "Streetscape Improvements" along Reisterstown Road; and

WHEREAS, the County has funds to undertake streetscape improvements on public and private property to accomplish commercial revitalization objectives; and

WHEREAS, the party/parties of the first part has been made aware of its/their option to do additional improvements to its/their private property itself/themselves and desire to exercise this option.

WHEREAS, the parties desire to establish terms and conditions relating to the completion of the private improvements by the party/parties of the first part and the improvements in the streetscape area.

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET			
STUBE D KARNOW	Sto whomehous 2004		
Mari Alcane	3655 A Old Court Rd. 21234		
Harox Korrinan	1504 Resteration 162 1504 Ressers row RO.		
Lee Sein	341 N Calver		



